

RESOLUTION NO. 22-078

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST (CITY) APPROVING CHANGE ORDER #2 IN THE AMOUNT OF \$160,029.11 FOR UNFORESEEN CONDITIONS, AND AUTHORIZING A TIME EXTENSION UNDER THE CONTRACT AWARDED TO CHARLEY TOPPINO AND SONS, INC. FOR ITB #21-009, WHITEHEAD AND FRONT IMPROVEMENTS PROJECT; AUTHORIZING ANY NECESSARY BUDGET TRANSFERS AND AMENDMENTS; AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY DOCUMENTS UPON ADVICE AND CONSENT OF THE CITY ATTORNEY; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, in Resolution No. 21-058, the City Commission approved an interlocal agreement with the Florida Keys Aqueduct Authority (FKAA) to incorporate the replacement of a water main, the cost of which FKAA will reimburse to the City, with the roadway rehabilitation project set forth in ITB #21-009; and

WHEREAS, in Resolution No. 21-113 a contract was awarded to Charley Toppino and Sons, Inc. for Whitehead and Front Improvements Project, in response to ITB #21-009; and

WHEREAS, unforeseen conditions were encountered with respect to the water main installation, resulting in \$160,029.11 in additional labor and equipment time, most of which (\$150,332.36) will be reimbursed by FKAA; and

NOW, THEREFORE, BE IT RESOLVED BY CITY COMMISSION OF THE

CITY OF KEY WEST, AS FOLLOWS:

Section 1: That the attached Change Order No. 2 in the amount of \$160,029.11 for additional work and including a 42-day time extension required for unforeseen conditions, under the contract awarded to Charley Toppino and Sons, Inc. (ITB 21-009) in Resolution 21-113, is hereby approved.

Section 2: That funds for the project are allocated in account #102-4102-541-6300 (Internal Improvements/Gas Tax), Project #II41022002, Purchase Order #94266. Additional reimbursement of up to \$150,332.36 is anticipated from FKAA, pursuant to the Interlocal Agreement approved in Resolution 21-058. Any necessary budget transfers or amendments are hereby authorized.

Section 3: That the City Manager is authorized to execute documents related to this Change Order, upon the advice and consent of the City Attorney.

Section 4: That this Resolution shall go into effect immediately upon its passage and adoption and authentication

by the signature of the Presiding Officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this 15th day of March, 2022.

Authenticated by the Presiding Officer and Clerk of the Commission on 16th day of March, 2022.

Filed with the Clerk on March 16, 2022.

Mayor Teri Johnston	<u>Yes</u>
Vice Mayor Sam Kaufman	<u>Yes</u>
Commissioner Gregory Davila	<u>Yes</u>
Commissioner Mary Lou Hoover	<u>Yes</u>
Commissioner Clayton Lopez	<u>Yes</u>
Commissioner Billy Wardlow	<u>Yes</u>
Commissioner Jimmy Weekley	<u>Yes</u>


TERI JOHNSTON, MAYOR

ATTEST:


CHERYL SMITH, CITY CLERK